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Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	214001-00648
	First Named Inventor	Louis D. Falo
	COMPLETE IF KNOWN	
	Application Number	09/030,985
	Filing Date	February 26, 1998
	Group Art Unit	1643
Examiner Name	N/A	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INDUCTION OF TUMOR AND VIRAL IMMUNITY USING ANTIGEN PRESENTING CELL CO-CULTURE PRODUCTS AND FUSION PRODUCTS

the specification of which

(Title of the Invention)

☐ is attached hereto

OR

☒ was filed on

2/26/1998

as United States Application Number or PCT International

Application Number

09/030,985

and was amended on (MM/DD/YYYY)

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/039,472	2/27/1997	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and

Trademark Office connected therewith:

☐ Customer Number



Place Customer
Number Bar Code

OR

☒ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
[SEE ATTACHED SHEET]			

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label ☐ OR ☒ Correspondence address below

Name	Diane R. Meyers				
Address	Eckert Seamans Cherin & Mellott, LLC				
Address	600 Grant Street, 42nd Floor				
City	Pittsburgh	State	PA	Zip	15219
Country	USA	Telephone	412/566-2036	Fax	412/566-6099

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any))			Family Name or Surname		
Louis D.			Falo, Jr.		
Inventor's Signature				Date 8/28/98	
Residence: City	Pittsburgh	State	PA	Country	USA
Post Office Address	710 Duncan Avenue 2698 TIMBERGLEN DRIVE				
Post Office Address	Apt. 1400				
City	WEXFORD Pittsburgh	State	PA	Zip	15050 15232
Country	USA				

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATIONREGISTERED PRACTITIONER
INFORMATION
(Supplemental Sheet)

Name	Registration Number	Name	Registration Number
Walter J. Blenko, Jr.	18,526		
Arnold B. Silverman	22,614		
Richard V. Westerhoff	24,454		
David W. Brownlee	24,464		
Lewis F. Gould, Jr.	25,057		
Daniel C. Abeles	25,822		
Stephan P. Gribok	29,643		
Alan G. Towner	32,949		
David V. Radack	33,442		
Samuel W. Apicelli	36,427		
Kirk D. Houser	37,357		
Diane R. Meyers	38,968		
Daniel S. Goldberg	39,689		
John M. Paolino	40,340		
Michael D. Lazzara	41,142		
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Anthony Colesanti	P42,428		

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	Application Number	09/030,985
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	Examiner Name	N/A

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and

Trademark Office connected therewith:

☐ Customer Number



Place Customer
Number Bar Code

OR

☒ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
[SEE ATTACHED SHEET]			

☐

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

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or Bar Code Label

OR

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Correspondence address below

Name	Diane R. Meyers				
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Address	600 Grant Street, 42nd Floor				
City	Pittsburgh	State	PA	Zip	15219
Country	Allegheny	Telephone	412/566-2036	Fax	412/566-6099

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:			<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))			Family Name or Surname			
Inventor's Signature					Date	
Residence: City		State		Country		Citizenship
Post Office Address						
Post Office Address						
City		State		Zip		Country
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.						

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet
Page 1 of 1

Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Christina M.				Celluzzi			
Inventor's Signature	Christina M. Celluzzi			Date	8/26/98		
Residence: City	Columbia	State	MD	Country	USA	Citizenship	USA
Post Office Address	10800 Bird Song Pass						
Post Office Address							
City	Columbia	State	MD	ZIP	21044	Country	USA
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle (if any))				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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Stephan P. Gribok	29,643		
Alan G. Towner	32,949		
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Michael D. Lazzara	41,142		
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Anthony Colesanti	P42,428		

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Applicant or Patentee: Louis D. Falo, Jr. and Christina M. Celluzzi Attorney's 214001-
Serial or Patent No.: 09/030,985 Dock # No: 00648
Filed or Issued: February 26, 1998

For: INDUCTION OF TUMOR AND VIRAL IMMUNITY USING ANTIGEN PRESENTING CELL CO-CULTURE
PRODUCTS AND FUSION PRODUCTS
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of Pittsburgh of the Commonwealth System of Higher Education
ADDRESS OF ORGANIZATION 200 Gardner Steel Conference Center
Pittsburgh, PA 15260

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled INDUCTION OF TUMOR IMMUNITY USING ANTIGEN PRESENTING CELL CO-CULTURE PRODUCTS AND FUSION PRODUCTS
by inventor(s) Louis D. Falo, Jr. and Christina M. Celluzzi
described in

- ☐ the specification filed herewith
☒ application Serial No. 09/030,985, filed February 26, 1998
☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention according to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Frances J. Connell
TITLE IN ORGANIZATION Director, Office of Intellectual Property
ADDRESS OF PERSON SIGNING 200 Gardner Steel Conference Center, Pittsburgh, PA 15260
Frances J. Connell DATE 8/26/98

Atty. Dkt. No. 076333/0249

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Louis D. Falco, Jr., et al.
Title: INDUCTION OF TUMOR AND VIRAL IMMUNITY USING ANTIGEN
PRESENTING CELL CO-CULTURE PRODUCTS AND FUSION
PRODUCTS
Application No.: 09/030,985 *University case #136*
Filing Date: February 26, 1998
Examiner: F. Pierre VanderVegt
Group Art Unit: 1644

REVOCATION OF PRIOR POWERS OF ATTORNEY BY APPLICANT
APPOINTMENT OF NEW POWER OF ATTORNEY BY APPLICANT
CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
Washington, DC 20231

Sir:

The undersigned applicant in the above application hereby revokes all previous powers of attorney in connection with this application and hereby appoints the following registered attorneys and agents of the law firm of FOLEY & LARDNER as its principal attorneys to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, to transact all business in the United States Patent and Trademark Office connected therewith, and to have full power of substitution, association, and revocation, including the power to revoke the power of attorney of any associate attorney:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 26,257
BETH A. BURROUS	Reg. No. 35,087
ALAN I. CANTOR	Reg. No. 28,163
WILLIAM T. ELLIS	Reg. No. 26,874
JOHN J. FELDHAUS	Reg. No. 28,822
MICHAEL D. KAMINSKI	Reg. No. 32,904
LYLE K. KIMMS	Reg. No. 34,079
KENNETH E. KROSIN	Reg. No. 25,735
JOHNNY A. KUMAR	Reg. No. 34,649
JACK LAHR	Reg. No. 19,621
GLENN LAW	Reg. No. 34,371
PETER G. MACK	Reg. No. 28,001

Atty. Dkt. No. 078333/0249

BRIAN J. MC NAMARA	Reg. No. 32,789
SYBIL MELOY	Reg. No. 22,749
RICHARD C. PEET	Reg. No. 35,792
GEORGE E. QUILLIN	Reg. No. 32,792
BERNHARD D. SAXE	Reg. No. 28,665
MICHELE SIMKIN	Reg. No. 34,717

Please direct all future correspondence concerning this application to:

Stephen A. Bent
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109

Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Executed this 25th day of May, 2001.

Respectfully submitted,

UNIVERSITY OF PITTSBURGH

By:


(Signature)

Frances J. Connell
(Printed Name)

Director, Office of Intellectual Property
(Title)

FO5250-TSH9860